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December 18, 2001

Carlyn Winter Prisk (3HS11)  
U.S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103

RE: Lower Darby Creek Area Site, et al.  
and the Borough of Darby

Dear Ms. Winter-Prisk:

I am in receipt of your letter dated December 13, 2001 and received December 17, 2001 directed to Angel Maskart, Darby Borough Council President. As you are aware, I am the Solicitor for the Borough of Darby.

I have previously contacted your office concerning the original requests for information. As I indicated, the Borough of Darby is having a difficult time finding records related to the time periods in questions, i.e. 1958-1976. As I understand it, during the majority, if not all, of that time period, private municipal waste haulers disposed of the household municipal waste for the Borough of Darby. The Borough is accumulating a list of the various waste haulers utilized. The present waste hauler for the Borough is City Wide Services and the contact person is Richard Heller. I do not know how long he has been the waste hauler for the Borough as both the Borough Manager and myself have only been employed for the past fourteen (14) months.

I have asked the Borough Manager to search the limited records available for the requested information, however, I am not confident much useful information will be forthcoming due to the age of the requests and the destruction of some of the older records. The Borough has very limited resources and personnel

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and the request would involve a significant amount of time and resources. In the event a representative from your office wishes to review documentation and/or public records, I can arrange a time for the same.

As you know, I also am the Solicitor for Darby Township and the information request is essentially the same in that the Borough was only involved to a limited extent in the municipal waste disposal and did not handle commercial waste disposal. The Borough is not aware of any spills, hazardous contamination or similar incidents regarding the targeted sites. The Borough did not engage anyone or itself engage in any environmental assessment of the targeted sites.

The Borough is accumulating a list of those individuals at the Borough responsible for invoice and bill payments during the requested time frames.

All pick up and disposal of the Municipal waste was the responsibility of the contracted waste haulers.

In addition, I had requested to know whether or not the Borough of Darby is a target of this investigation. I have not, to this date, received a response. I anxiously await your reply.

Very truly yours,

PIERCE & HUGHES, P.C.



MICHAEL P. PIERCE

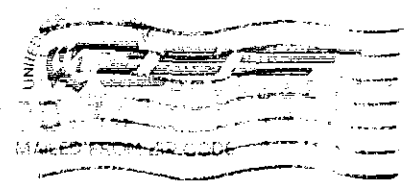
MPP:mcc

cc: Beth Yazvac

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